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July 30, 2009

VIA ECF & FACSIMILE

Honorable Joan Azrack
Eastern District of New York
United States Courthouse
225 Cadman Plaza East
Brooklyn, NY 11201

Re: **Dr. Lakhan Sinha, et al. v. Qazi Moid**
Case No. 05 Civ. 4425 (DEW) (JO)

Dear Judge Azrack:

I am the attorney for Lakhan and Geeta Sinha in connection with the above matter. I am writing to request permission to close the special escrow account established in this matter by order of your Honor dated January 23, 2006. The account currently contains \$32,798.94. These proceeds are the lawful property of plaintiffs and should be disbursed to them.

The special escrow account was established to deposit rents and make maintenance payments on two disputed cooperative units in Queens, New York. In August 2008, a trial was held in this matter before the Honorable Donald E. Walter, a visiting judge from the Western District of Louisiana. On August 13, 2008, Judge Walter entered judgment in favor of plaintiffs. In ruling for the plaintiffs, Judge Walter noted that there was little, if anything, about defendant Qazi Moid's testimony that the Court found credible. Mr. Moid is a suspended lawyer following his conviction for immigration fraud. As a result the Court's ruling, plaintiffs are the undisputed owners of the two cooperative units with the right to all rental proceeds including the funds in the escrow account.¹

¹ Defendant filed a notice of appeal but never filed a brief or otherwise sought to perfect his appeal. On December 18, 2008, the Second Circuit dismissed the appeal for after defendant failed to reply to the Circuit's *sua sponte* order to show cause why he filed no brief in accordance with its scheduling order.

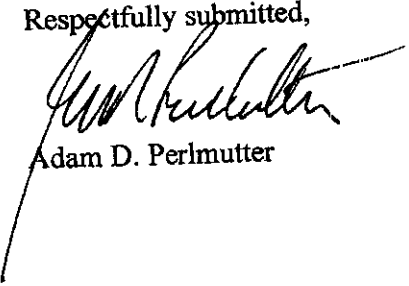
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In light of the foregoing, and since defendant has absolutely no claim to any funds in the account, or any rights whatsoever with respect to the cooperative units, I ask for permission to close the special escrow account and make final settlement with the plaintiffs. I also ask that the Court permit closure without the requirement of a formal final accounting on the grounds that defendant has no right to any proceeds and it would unnecessarily burden the Court.

I want to thank the Court for its continued consideration of this matter.

Respectfully submitted,


Adam D. Perlmutter

Cc: Paul Seigert, Esq. (via ECF)
Preeta Sinha

The application is ☒ granted.
☐ denied.

SO ORDERED.

s/JMA


Joan M. Azrack, U.S.M.J.

Dated: 8/12/2009
Brooklyn, NY